

REMARKS

I. Introduction

Claims 13 to 24 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants thank Examiner for acknowledging the claim for foreign priority and indicating that all certified copies of the priority documents have been received.

II. Rejection of Claims 13, 17, 20 and 22 to 24 Under 35 U.S.C. § 102(b)

Claims 13, 17, 20 and 22 to 24 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 1,341,478 ("Platt et al."). It is respectfully submitted that Platt et al. do not anticipate the present claims for at least the following reasons.

Claim 13 relates to a fuel injector including: a valve seat; a valve-closure member, which cooperates with a sealing seat of the valve seat; a flow exit region for fuel situated downstream from the sealing seat; and projections, which influence fuel flow, situated in the flow exit region. Although Applicants may not agree with the merits of the rejection, to facilitate matters, claim 13 has been amended without prejudice to recite, in relevant part, that **the projections are discontinuous in a direction transverse to a flow direction of the fuel**. In addition, claim 16 has been amended to conform to claim 13.

Platt et al. do not disclose, or even suggest, the above-mentioned feature. **As is apparent from Figures 2 and 3 of Platt et al., the ridges (11) formed in cylinder head (8), which the Office Action contends to constitute projections, extend continuously in a direction transverse to the flow of fuel from fuel sprayer (13).** Accordingly, it is respectfully submitted that Platt et al. do not anticipate claim 13 for at least these reasons.

As for claims 17, 20 and 22 to 24, which ultimately depend from claim 13 and therefore include all of the features of claim 13, it is respectfully submitted that Platt et al. do not anticipate these dependent claims for at least the reasons set forth above in support of the patentability of claim 13.

As for claims 17, 20 and 23, it is respectfully submitted that Platt et al. do not anticipate these claims for the following additional reasons.

As regards claim 17, Platt et al. do not disclose, or even suggest, that a height of the ridges (11) is less than 100 micrometers.

As regards claim 20, Platt et al. do not disclose, or even suggest, that the ridges (11) have a cylindrical, tetrahedral, pyramidal, conical, prism-like, rectangular, semispherical or nub-type shape.

As regards claim 23, the ridges (11) are continuous and parallel and not mutually offset from row to row.

Accordingly, it is respectfully submitted that Platt et al. do not anticipate claims 17, 20 and 23 for these additional reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 14 to 16, 18, 19 and 21 Under 35 U.S.C. § 103(a)

Claims 14 to 16, 18, 19 and 21 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Platt et al. and U.S. Patent No. 5,613,471 ("Yaoita"). It is respectfully submitted that the combination of Platt et al. and Yaoita does not render these claims unpatentable for at least the following reasons.

Claims 14 to 16, 18, 19 and 21 ultimately depend from claim 13 and therefore include all of the features of claim 13. As set forth above, Platt et al. do not disclose, or even suggest, all of the features of claim 13. In addition, Yaoita does not disclose, or even suggest, all of the features of claim 13 not disclosed or suggested by Platt et al. Accordingly, it is respectfully submitted that the combination of Platt et al. and Yaoita does not render unpatentable claims 14 to 16, 18, 19 and 21, which depend from claim 13.

As regards claim 21, it is respectfully submitted that the combination of Platt et al. and Yaoita does not render this claim unpatentable for the following additional reasons. Platt et al. do not disclose, or even suggest, that a height of the ridges (11) increases or decreases downstream in a continuous or stepwise manner. As is apparent from Figures 2 and 4 of Platt et al., the height of ridges (11) remains constant in a downstream direction. Furthermore, regarding the allegation on page 4, lines 12 to 14 of the Office Action, that the features of claim 21 are an obvious matter of design choice, Applicants respectfully **traverse** and respectfully request

published information and/or an affidavit under 37 C.F.R. § 1.104(d)(2) in support of this unsupported allegation. Accordingly, it is respectfully submitted that the combination of Platt et al. and Yaoita does not render claim 21 unpatentable for these additional reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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